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Attorneys for Defendant
 CALIPER LIFE SCIENCES, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

GENMARK DIAGNOSTICS, INC.,
 a Delaware corporation,

Plaintiff,

v.

CALIPER LIFE SCIENCES, INC.,
 a Delaware corporation,

Defendant.

CASE NO.: CV-10-5094 MEJ

**SECOND STIPULATION AND
~~PROPOSED~~ ORDER TO EXTEND
 TIME FOR DEFENDANT TO
 RESPOND TO THE COMPLAINT &
 CONTINUING CMC DATE AND
 RELATED DATES**

Current CMC Date: 2/17/2011

Proposed CMC Date: 4/01/2011

Before: Hon. Maria Elena James

WHEREAS, Plaintiff Genmark Diagnostics, Inc. ("Genmark") filed its Complaint on
 November 11, 2010;

WHEREAS, Defendant Caliper Life Sciences, Inc.'s ("Caliper") responsive pleading is
 currently due on January 14, 2011;

WHEREAS, the Rule 26(f) Report, initial disclosures, and Case Management Statement
 are currently due on February 10, 2011;

WHEREAS, the Initial Case Management Conference is currently scheduled for
 February 17, 2011;

SECOND STIPULATION AND PROPOSED ORDER TO
 EXTEND TIME & CONTINUING CMC DATE
 CASE No. CV 10-5094 MEJ

1 WHEREAS, the parties desire to defer such deadlines in order to pursue settlement
2 discussions;

3 NOW, THEREFORE, the parties, by and through their undersigned counsel of record,
4 hereby agree to stipulate to the following:

5 1. Defendant Caliper will file a responsive pleading on or before February 28, 2011.

6 2. The Rule 26(f) meet and confer will occur at least 21 days before the new date
7 ordered by the Court for the Initial Case Management Conference.

8 3. The Rule 26(f) Report, initial disclosures, and Case Management Statement will
9 be filed on or before March 25, 2011 or no later than 7 days before the new date ordered by the
10 Court for the Initial Case Management Conference.

11 3. The Initial Case Management Conference currently scheduled for February 17,
12 2011 is hereby continued until April 1, 2011 or to such later date as may be ordered by the Court.

13
14 Dated: January 12, 2011

Respectfully submitted,

15 WILSON SONSINI GOODRICH & ROSATI

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17 By: /s/Michael A. Berta
Michael A. Berta

18 Attorneys for Defendant
19 CALIPER LIFE SCIENCES, INC.

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21 Dated: January 12, 2011

Respectfully submitted,

22 MORGAN, LEWIS & BOCKIUS LLP

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24 By: /s/Daniel Johnson, Jr.
Daniel Johnson, Jr.

25 Attorneys for Plaintiff
26 GENMARK DIAGNOSTICS, INC.

[PROPOSED] ORDER

Pursuant to the above stipulation of the parties, and for good cause appearing, IT IS
HEREBY ORDERED THAT:

1. Defendant Caliper will file a responsive pleading on or before February 28, 2011.
2. The Rule 26(f) meet and confer will occur at least 21 days before the Initial Case Management Conference.
2. The Rule 26(f) Report, initial disclosures, and Case Management Statement will be filed on or before March 25, 2011 or no later than 7 days before the new date ordered by this Court for the Initial Case Management Conference.
3. The Initial Case Management Conference currently scheduled for February 17, 2011 is hereby continued until April 7, 2011, or to such later date as may be ordered by this Court.

Dated: January 14, 2011



Hon. Maria Elena James
United States Magistrate Judge

1 I, Michael A. Berta, am the ECF User whose identification and password are being used
2 to file the **SECOND STIPULATION AND PROPOSED ORDER TO EXTEND TIME FOR**
3 **DEFENDANT TO RESPOND TO THE COMPLAINT & CONTINUING CMC DATE**
4 **AND RELATED DATES.** In compliance with General Order 45.X.B, I hereby attest that
5 Daniel Johnson, Jr. has concurred in this filing.

6
7 Dated: January 12, 2011

WILSON SONSINI GOODRICH & ROSATI

8
9 By: /s/Michael A. Berta
Michael A. Berta

10 Attorneys for Defendant
11 CALIPER LIFE SCIENCES, INC.
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